



Department of Housing, Buildings and Construction  
Division of Fire Prevention  
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## 2014 Fireworks Sales Information Bulletin

### Fireworks Registration Types

1. **Limited Sales** – sale of fireworks as described in KRS 227.702(1).
2. **Seasonal Sales** - sale of fireworks described in KRS 227.702 (1) (2) and/or (3) during the following time frames: June 10<sup>th</sup> through July 7<sup>th</sup>, December 26<sup>th</sup> through January 4<sup>th</sup> or both seasons.
3. **Primary Permanent** – year round sale of fireworks described in KRS 227.702 (1) (2) and/or (3) where fireworks are the primary source of business.

NOTE: In accordance with KRS 227.715(2), permanent business establishments open year-round and in which the sale of consumer fireworks is ancillary to the primary course of business shall only be permitted to sell fireworks described in KRS 227.702(1) or shall meet the criteria for “seasonal retailer” described in subsection (3) of this section.

### Fireworks Law & Regulation Requirements

- A **COPY** of a sales and use tax permit obtained from the Department of Revenue must be provided with the fireworks application to the State Fire Marshal as a condition of registration. To obtain your sales and use tax permit contact the Division of Sales and Use Tax at (502) 564-5170, or via e-mail at [krc.webresponsesalestax@ky.gov](mailto:krc.webresponsesalestax@ky.gov).
- A fireworks registration form shall be submitted to the State Fire Marshal’s Office at least 15 days prior to sell of fireworks or pay an additional fee of \$100.00 will be assessed for late submittals.
- A transient merchants law (KRS 365.650 to 365.695) requires a merchant who spends less than 6 months in a locality in Kentucky each year, and not exempted, to obtain a permit from the county clerk of each county it conducts business 10 days in advance and post a cash or surety bond with the Office of the Kentucky Attorney General. You can contact the Office of the Kentucky Attorney General - Registration and Compliance Branch at 502-696-5534.
- A copy of the storage notification shall also be submitted to the local fire department having jurisdiction and the State Fire Marshal’s Office at least 15 days prior to opening firework sales each year.

### Fireworks Selling Requirements

- No person or business shall give, offer for sale or sell any consumer fireworks listed in KRS 227.702 to any person under the age of 18.
- No person under the age of 18 shall sell consumer fireworks at consumer fireworks retail-sales facility unless the individual is supervised by a parent or guardian.
- In accordance with KRS 227.715, each site at which fireworks are offered for sale shall have a firework registration certificate displayed in a conspicuous location.

### Local Regulations

- Check with local government to ensure compliance with local laws and ordinances that may restrict the sale or use of fireworks in their county or city.
- Check with city or county government to see if a local business license is required.

## **Building Code Regulations**

- Contact the Division of Building Code Enforcement at 502-573-0373 or local building code official to obtain site approval on fireworks retail locations prior to the sale of consumer fireworks.
- Each site shall comply with all provisions of the 2013 edition of Kentucky Building Code (*KBC*) and 2006 edition of 1124 National Fire Protection Association (*NFPA*). Permanent structures shall comply with section 429.3.1 of the 2013 *KBC* and temporary structures shall comply with Section 429.3.2 of the 2013 *KBC*.
- Existing businesses that sell the full line of consumer fireworks under KRS 227.702 must submit plans and details to illustrate compliance with *NFPA* 1124 and the Kentucky Building Code.
- For temporary structures submit the necessary plans and permits to the appropriate authorities.
- A certificate of occupancy for fireworks retail sales must be obtained prior to the sale of consumer fireworks in permanent facilities.

### **Consumer Fireworks Retail Sales (CFRS) Permanent Structures Facilities**

- For permanent structures submit the necessary plans and details along with registration to the appropriate authorities.
- In accordance with Section 429.3.1 of the 2013 Kentucky Building Code (*KBC*), any new *CFRS* structures shall be detached stand-alone buildings.
- Sale of consumer fireworks in a *CFRS* structure shall comply with provisions as set forth in section 429.3.1 of the 2013 Kentucky Building Code (*KBC*).
- In accordance with 2006 edition of *NFPA* 1124 Chapter 7.2.4 - Retail sale of **display fireworks (1.3g)** shall be prohibited at any mercantile or consumer fireworks retail sale facility.

### **Mercantile Retail Sale**

- Mercantile Stores shall comply with chapter 7.5 of *NFPA* and chapter 7.3.15 through 7.3.24.2 of *NFPA* 1124.
- Existing businesses that sell the full line of consumer fireworks under KRS 227.702 must submit plans and details to the appropriate authorities to illustrate compliance with 2006 edition of *NFPA* 1124.

### **Stands / Temporary (Tent) Structures**

- All facilities designated as stands or temporary stands shall comply with section 429.3.1 of the 2013 Kentucky Building Code (*KBC*).
- In accordance with section 105.7.13 from the 2013 Kentucky Building Code (*KBC*), a construction permit is required to erect an air-supported temporary membrane structure or tent having an area in excess of 400 square feet.

If you have any questions, please call the Division of Fire Prevention (State Fire Marshal's Office) at 502-573-0382.

#### **Disclaimer**

*The intent of this document is to serve only as a guideline for those interested in the retail sale of consumer fireworks. The 2013 Kentucky Building Code (KBC) and 2006 Edition of National Fire Protection Association (NFPA) 1124 will be the principle documents used for compliance. Code references from the above mentioned publications not mentioned in this guideline are still applicable and will be enforced by the authority having jurisdiction.*